

Message

From: Jeremy Lewis [killercatdiesel@gmail.com]
Sent: 8/30/2017 10:50:12 PM
To: Healy, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1638b0a30364c7d98ea7af410a9cb2a-Healy, Stephen]
Subject: Re: Small Business Exemption Certification
Attachments: CCF08302017.pdf

On Mon, Aug 28, 2017 at 2:59 PM, Healy, Stephen <healy.stephen@epa.gov> wrote:

Marisa,

Just a couple things:

- Is Killer Cat Diesel affiliated with any other company? If not, please state that in the letter. If so, state the affiliation and the employee count for the affiliated company should be included in the employee count per 13 CFR Part 121.
- Did Killer Cat Diesel assemble any gliders in 2010 thru 2014? If so please list how many in each year.

Thank you,

Stephen Healy

Mechanical Engineer

EPA OTAQ Compliance Division

Diesel Engine Compliance Center

734--214-4121

From: Jeremy Lewis [mailto:killercatdiesel@gmail.com]
Sent: Thursday, August 24, 2017 4:23 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: Re: Small Business Exemption Certification

If I need to add something, just let me know.

Thanks so much!

Marisa

Killer Cat Diesel

On Thu, Aug 24, 2017 at 1:22 PM, Healy, Stephen <healy.stephen@epa.gov> wrote:

Marisa,

I assume you are interested in building gliders, so the information I am providing is in the context of gliders. The regulations (40 CFR 1037.150(c)) require a small business to notify EPA that they intend to utilize the small business provisions. We ask small businesses to send us a letter of notification annually that includes a number of bits of information justifying that they qualify for the small business allowances. A short letter that contains the following information is all that is needed:

- A statement that your company meets the small business criteria listed in 40 CFR 1037.150 (c) and the small business criteria specified in 13 CFR 121.201. (Assuming this is true.) Currently the size threshold for Heavy Duty Truck Manufacturers is 1500 employees – this is what is listed for NAICS Code 336120. The total number of employees includes that of the company and its affiliates (see 13 CFR 121 link below).
- A statement that your company is solely owned by (owner's name) and if there are multiple owners state each owner and the percentage ownership for each. Also describe any affiliations with other companies or state that there are no affiliations – assuming that is true.
- State the number of employees for each of the past 3 years.
- State the number of gliders that your company has built each year 2010 through 2014.
- Signed by the owner(s).
- Should be on company letterhead if possible.
- Include company address and contact information.

You should scan the signed letter and send the PDF file to me. I will then review it, stamp it and return it to you.

For your reference here are a number links to regulations that are applicable:

40 CFR 1037.150 Interim Provisions – this covers the small business exclusion requirements (1037.150(c)) and the new interim glider requirements (1037.150(t)):

http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=7b7047abdd965bd6a1b219b7b036fad9&mc=true&n=pt40.36.1037&r=PART&ty=HTML#se40.36.1037_1150

40 CFR 1037.635 – Glider kits and glider vehicles:

http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=7b7047abdd965bd6a1b219b7b036fad9&mc=true&n=pt40.36.1037&r=PART&ty=HTML#se40.36.1037_1635

13 CFR Part 121

Small business general provisions: describes how to determine affiliations and determine employee count:

<http://www.ecfr.gov/cgi-bin/text-idx?SID=266ad73e48d34146461d5b3cc2a0d1ab&mc=true&node=sg13.1.121.a.sg0&rgn=div7>

Size standards for small business:

http://www.ecfr.gov/cgi-bin/text-idx?SID=266ad73e48d34146461d5b3cc2a0d1ab&mc=true&node=se13.1.121_1201&rgn=div8

Please let me know if you have any questions.

Thank you,

Stephen Healy

Mechanical Engineer

EPA OTAQ Compliance Division

Diesel Engine Compliance Center

734--214-4121

From: Jeremy Lewis [mailto:killercatdiesel@gmail.com]

Sent: Thursday, August 24, 2017 12:26 PM

To: Healy, Stephen <healy.stephen@epa.gov>

Subject: Small Business Exemption Certification

Hello,

My name is Marisa Caudill. I work at Killer Cat Diesel in Franklin Furnace OH. We need to apply for our small business exemption certification for 2018. Do you have form that you could email me to fill out?

Thanks so much!

Marisa

Killer Cat Diesel 740-414-1239